

REMARKS

In response to the requirement in 37 C.F.R. §1.2, 37 C.F.R. §1.133, and MPEP §713.04, that the Applicants provide a statement of the substance of an interview, the Applicants hereinbelow submit the following summary.

Applicants gratefully acknowledge Examiner Diep and Examiner Tran for the courtesies extended during a personal interview which was conducted on August 11, 2009, for the above-referenced Application.

1. **Brief description of nature of exhibits/demonstrations:** N/A
2. **Claims discussed:** 1 and 11
3. **Prior Art Discussed:** Squilla and Lim
4. **Result of Interview:** Applicants explained the differences between the references and the claimed invention. The Examiners indicated that the proposed amendment would overcome the cited references.

Claims 1-23 are all the claims presently pending in the application. Claims 1, 5, 7-8, 10-11 and 17-21 have been amended to more particularly define the invention. Claims 22-24 have been added to claim additional features of the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-4, 7-9, 11 and 14-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Squilla et al. (US 6,919,920; hereinafter "Squilla") in view of Lim et al. (US 6,956,599; hereinafter "Lim"). Claims 5, 10, 20 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Squilla in view of Lim and in further view of Hull et al. (US 5,806,005; hereinafter "Hull"). Claims 6, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Squilla in view Lim in further view of Coverdale et al. (US 6,373,842; hereinafter "Coverdale").

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

An exemplary embodiment of the claimed invention (as set forth in exemplary claim 1) is directed to an image management apparatus including a photography instruction information storage memory configured to store photography instruction information that indicates a predetermined subject to be photographed, a communication interface configured to send the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network, an input unit configured to receive an input of image data obtained by the imaging apparatus according to the photography instruction information, and a storage memory configured to store the image data.

Several advantages of these exemplary aspects of the claimed invention are set forth on page 7, line 23 through page 10, line 7 of the specification.

II. THE PRIOR ART REFERENCES

The Examiner alleges that Squilla would have been combined with Lim to teach the claimed invention of claims 1-4, 7-9, 11 and 14-19. The Examiner further alleges Squilla in view of Lim in further view of Hull teaches the claimed invention of claims 5, 10, 20 and 21. The Examiner further alleges Squilla in view of Lim in further view of Coverdale teaches the claimed invention of claims 6, 12 and 13. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by the alleged references.

Claims 1, 8 and 11 are not taught or suggested by Squilla in view of Lim. In particular, neither Squilla nor Lim teach or suggest *“a photography instruction information storage memory configured to store a photography instruction information that indicates a predetermined subject to be photographed”*, as recited in exemplary claim 1, and similarly in exemplary claims 8 and 11.

The Examiner alleges, with regard to argument “a” as listed in the Office Action, that the information in the content database transmitted to the digital camera 24 from image spot 10 would include a subject to be photographed since the content database contains a variety of information about the feature that qualifies as an image spot. The Examiner attempts to support this allegation by referring to column 5, lines 29-34 of Squilla. The Examiner is incorrect.

That is, column 5, lines 29-34 of Squilla merely states, “In typical usage of this system, the user actuates a capture release in the user interface 31, the respective camera captures the selected image, the personality data is communicated to the image spot 10, and content data that correlates with the personality data is communicated back to the camera.” Accordingly, the time when the content data correlated with the personality data is communicated back to the camera is after the image is captured. Hence, according to Squilla, since content data is communicated to the camera from the image spot after the camera has captured the image, the content data never includes photography instruction information that indicates a predetermined subject to be photographed, which is used before capturing the image.

Furthermore, the Examiner alleges, with regard to argument “b” in the Office Action, that Squilla in view of Lim teaches or suggests that the capture image can be attached and/or transmitted along with the photography instruction information. However, neither Squilla nor Lim discloses or suggest the structure in which the capture image is attached and/or transmitted along with the photography instruction information. As mentioned above in the response to argument “a”, photography instruction information that indicates a subject to be photographed is not disclosed or suggested in Squilla.

Furthermore, the Examiner alleges, with regard to argument “c” in the Office Action, that Squilla teaches or suggests in column 5, lines 25-29, that the captured image is stored in an image recording memory. Moreover, Squilla does not disclose the structure in which the image data is transferred to the image spot 10 from the camera 24. Furthermore, the structure in which image data is stored in memory 16 contained in PC 14 is not disclosed or suggested in Squilla. That is, Squilla does not teach or suggest storing image data in memory 16, merely content data which is described as information that would be of interest to a variety of viewers (e.g., see Squilla column 3, line 53 to column 4, line 8).

Neither Hull and/or Coverdale make up for the deficiencies of Squilla and Lim discussed above. In particular, like Squilla and Lim, neither Hull nor Coverdale teach or suggest “*a photography instruction information storage memory configured to store a photography instruction information that indicates a predetermined subject to be photographed*”, as recited in exemplary claim 1 and similarly in exemplary claims 8 and 11.

Claims 2-7, 9-10, and 12-21 are not taught or suggested for at least the reasons stated with regard to claims 1, 8 and 11.

Therefore, Applicants submit that there are elements of the claimed invention that are not taught or suggest by the alleged references. Therefore, the Examiner is respectfully requested to withdraw this rejection.

III. NEW CLAIMS

Applicants have added new claims 22-24 to claim an additional feature of the invention and to provide more varied protection for the claimed invention. These claims are independently patentable because of the novel and nonobvious features recited therein.

Applicants submit that the new claims are patentable over the cited prior art references at least for analogous reasons to those set forth above with respect to claims 1-21.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1-24, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/608,093

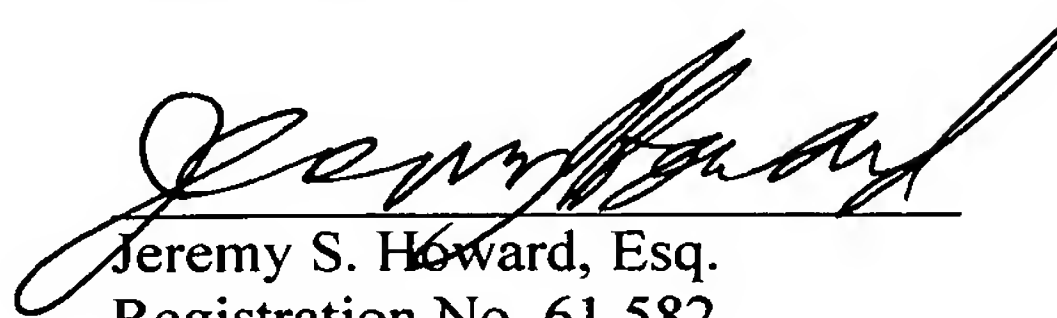
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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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